IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5891 of 2005

Between:

Sai Farmers Recreation Club, (Reg.No.5151/93) Located at 3-5-401/1, Nizamsagar Road, Yellareddy, Rep. by its General Secretary Chaparthi Rama Goud, S/o. Narsa Goud Age 38 Years, R/o. Thimmapur (V),
Yellareddy (M), Nizamabad District.

..... PETITIONER

AND

1 The Superintendent of Police, Nizamabad.
2 The Sub-Divisional Police Officer, Kamareddy, Nizamabad District.
3 The C.I. of Police, Yellareddy, Nizamabad District.
4 The S.I. of Police, Yellareddy, Nizamabad District.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of writ of Mandamus directing the respondents herein forbear from interfering /obstructing the petitioner's club free conducting the card rooms where the Members or guests of the petitioner club are allowed to play the game of rummy with stake/syndicate (13 Cards game) and also with lawful activities of the petitioner club by duly declaring the action of the respondents in interfering with the lawful activities of the petitioner club including playing of rummy game is nothing but arbitrary, illegal and violative of Art. 14 of the Constitution of India and also contrary to the provisions of A.P. Gaming Act, 1974.

Counsel for the Petitioner: MR.Y.NEELAKANTA REDDY

Counsel for the Respondents1 to 4: G.P. FOR HOME

The Court at the stage of admission made the following

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.No.5891 of 2005

ORAL ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home, appearing on behalf of the respondents.

2. This Writ Petition is filed seeking to declare the action of the respondents herein, in obstructing the playing of rummy with stakes/syndicate by the members of the petitioner-club as arbitrary, illegal, and consequently direct the respondents not to interfere with the playing of rummy with stakes/syndicate by the members of the petitioner-club within the club premises.

3. The grievance of the petitioner is that the respondents are interfering with the lawful activities of the petitioner's Club and causing much inconvenience and embarrassment to the esteemed members of the Club.

4. Time and again, this Court categorically held that 13 cards game is a game of skill and the respondents shall not interfere with the playing of 13 cards game. Same is the view taken by in a Division Bench of this Court in *Twin Cities Cinema Cultural Centre (Formerly Twin Cities Club) Vs. Commissioner of Police* [2002(5) ALT 805 (DB)] in Writ Appeal No.1167 of 2002, dated 29-07-2002.

5. Therefore, the respondents are directed not to interfere with the lawful activities of the petitioner-club, particularly with the playing of 13 cards game with or without betting. However, the respondents are at liberty to interfere with

the unlawful activities, if any, going on in the petitioner-club and to take appropriate action in that regard.

6. With the above observation and direction, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

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D.S.R. VARMA, J

28TH MARCH 2005

ISN

ASSISTANT REGISTRAR

To

1 The Superintendent of Police, Nizamabad.
2 The Sub-Divisional Police Officer, Kamareddy, Nizamabad District.
3 The C.I. of Police, Yellareddy, Nizamabad District.
4 The S.I. of Police, Yellareddy, Nizamabad District.

5 Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).

6 Two CD copies.